



City of Seattle
Gregory J. Nickels, Mayor

Department of Planning and Development
Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3005136 & 3004071
Applicant Name: Jeff Wegener
Address of Proposal: 2110 S. State St. & 2113 S. Massachusetts St.

SUMMARY OF PROPOSED ACTION

3005136

Land Use Application to allow a two-unit townhouse structures with attached garages in an environmentally critical area pending Lot Boundary Adjustment 3005291.

3004071

Land Use Application to allow two four-unit townhouse structures and one ground related dwelling unit for a total of nine units pending Lot Boundary Adjustment 3005291. Parking for nine vehicles will be located within the structures.

- Application for 3004071 had minor change from initial submittal.

The following approval is required:

SEPA – Environmental Determination – Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

BACKGROUND DATA

Site and Area Description

This proposal is two sites located at 2113 S. Massachusetts St. and 2110 S. State St. The sites are between 21st Avenue S. and 22nd Avenue S. in the South Seattle Neighborhood. The subject sites are rectangular in shape and the 2113 S. Massachusetts St. site is approximately 46.73-foot wide and 100-foot deep with a total lot area of approximately 4,673 square feet. The 2110 S. State St. site is approximately 85.35-foot wide and 100-foot deep with a total lot area of approximately 8,535 sq. ft. The property is currently undeveloped. The site is vegetated with shrubs and grass. The project site is zoned Lowrise-Two (L-2) and is located in a predominately single-family and multi-family neighborhood. The density for Lowrise-Two zone is one dwelling unit per each 1,200 sq. ft. of lot area. The property sites together have a lot area of 13,208 sq. ft., therefore, has a potential for eleven-units. Both Massachusetts and State Streets are two lane paved streets with sidewalks, curbs and gutters on both sides.

Based on submitted documents, the “steep slope” area along the west property line appears to be less than 20 feet in height and/or have been created by previous grading and construction activities on the adjacent public right-of-way. The submitted geo-technical report by Dennis M. Bruce, P.E. dated May 19, 2006 further infers that development on this site will not result in adverse impacts on this site and adjacent sites.

Development in the Vicinity

To the north and northwest of the site, the area is zoned Lowrise-Two (L-2), west, southwest and south of the site, the area is zoned Commercial (C1-65). East of the site is zoned Lowrise One (L-1) and northeast of the site is zoned Lowrise-Duplex-Tripex (LDT). The existing development in the area is mostly single family houses with some duplexes and triplexes.

Proposal Description

The applicant proposes to construct a two-unit townhouse with attached garages on the site at 2113 S. Massachusetts St. and two, four-unit townhouse structures and one ground related dwelling unit on the site at 2110 S. State St. The total units for both sites are 11 units with 11 parking spaces provided within each structure in an environmentally critical area.

Vehicle access will be from S. Massachusetts St. and S. State St. and parking for eleven vehicles will be located in ground level garages under the structure. The remaining areas will be access easements, landscaped areas and open spaces required for this development.

The proposed structures are three stories. A garage for each individual unit is provided under the structure at grade level. Access to individual garages is through common paved driveways. The ingress/egress to the two-unit townhouse structure and the one ground related dwelling unit is from S. Massachusetts St. and the ingress/egress to the two, four-unit townhouse structures will be from S. State St. Each individual townhouse unit and ground related dwelling unit is provided with a directly accessible and fully landscaped private usable open space.

Public Comments

No written comment was received during the comment period that ended August 23rd, 2006.

ANALYSIS – SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated June 22nd, 2006. The information in the checklist, a subsurface exploration and assessments, project plans and other related documentations, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between the codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: “where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation” (subject to some limitations). Under certain limitations/circumstances (SMC 25.050.665 D 1 through 7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from construction activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud trucked onto the streets during construction activities; excavation, backfill and site grading; increased traffic demand for parking from construction materials hauling, equipment and personnel; increased noise; and consumption of renewable and nonrenewable resources.

The Stormwater, Grading and Drainage Control Code regulate site excavation and require that soil erosion control techniques be initiated for the duration of the construction. The Street Use Ordinance requires watering the streets and on-site driveways to suppress dust, on-site washing of truck and equipment tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for the construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. Compliance with this applicable Codes and Ordinances will reduce or eliminate most short-term impacts to the environment and no further conditioning pursuant to SEPA policies is warranted.

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect the air quality; hydrocarbon emissions from construction vehicles and heavy equipment;

and increased suspended particulates from construction activities. Compliance with PSCAA regulations will mitigate potential adverse short term impacts to air.

Grading – Earth/Soils

Any additional information necessary to conform to the applicable ordinances and codes (The Stormwater, Grading and Drainage Control Code, Director’s Rules DR 3-93 and 3-94) will be required prior to issuance of a Master Use Permit. The use of applicable Codes and Ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques. Therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or grading greater than 100 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe that construction techniques are used, therefore additional conditioning is not warranted pursuant to SEPA policies.

Traffic

Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near a couple of arterial street and traffic impacts resulting from the truck traffic associated with the hauling of construction materials and debris will be of short duration and mitigated by enforcement of SMC 11.62.

For the removal or import of soil to the site, including disposal of spoil materials, the Code (SMC 11.74) provides that materials hauled in trucks not spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from the level of material to the top of the truck container) be provided in loaded, uncovered trucks to minimize the amount of spilled materials and dust from the truck bed en-route to or from the site.

Long-term Impacts

Long term or use-related impacts are anticipated from this proposal that would include the following: increased water runoff from site coverage by impervious surfaces; potentially decreased water quality in the surrounding watersheds; increased bulk and scale on the site; increased ambient noise due to increased human activity; increased demand on public services and utilities; increased light and glare; increased energy consumption; increased on-street parking demand and increased vehicle traffic. These long term impacts, although adverse, are not considered significant because they are within the scope of those impacts anticipated by the zoning and are relatively minor in scope.

Notwithstanding the determination of non-significance, the following impacts merit more detailed discussions due either to public comments or their greater importance: height, bulk and scale; parking; traffic; and noise.

Other Impacts

Several adopted Codes and Ordinances and other Agencies will appropriately mitigate the other use-related adverse impacts created by the proposal. Specifically, these are the Seattle Energy Code (long term energy consumption) and the Puget Sound Clean Air Agency (increased airborne emissions). The other impacts not noted here as mitigated by codes, ordinances (increased ambient noise, increased pedestrian traffic, increased demand on public services and utilities) are not sufficiently adverse to warrant further mitigation by conditions.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on the file with the responsible department. This constitutes the Threshold Determination and form. The intent of the declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under CRW 43.21C.030(2)(C).

CONDITIONS - SEPA

None.

Signature: _____ (signature on file) Date: July 19, 2007
Joan S. Carson, Land Use Planner II
Department of Planning and Development

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